

REMARKS

This is in response to the Office Action of September 22, 2009. With this response claims 1, 36 and 37 are amended and all pending claims 1, 4-37 and 39-53 are presented for reconsideration and favorable action.

In the Office Action, the claims were rejected based upon Eryurek (US 6,017,143) in view of Flaemig (US 7,054,765) and further in view of Sederlund (US 6,647,301). Applicant has reviewed these references and is unable to find all of the elements of the claimed invention.

The pending claims state that the invention is used to retrofit an existing process device. None of the cited references describe retrofitting an existing process device. As discussed previously, Flaemig describes the manufacture of a device and does not describe retrofitting. Neither Eryurek nor Sederlund show this feature either. Therefore, the rejection should be withdrawn.

Further, the claims describe coupling to a databus where the databus transfers digital data between a component of the device and a microprocessor of the device. None of the cited references show this feature. Col. 2, line 65 through col. 3, line 33 along with Figure 1 of Eryurek appear to be cited as showing this component. However, Applicant has reviewed those sections and is unable to locate monitoring the claimed databus. The data communication shown in Figure 1 (see element 6 in Figure 1) of Eyrurek is used to communicate with a control room 14. For this additional reason the rejection should be withdrawn.

As the invention set forth in the pending claims includes elements which are not shown or suggested by the references, it is believed the present application is in condition for allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim

does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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